

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**ANDREW MALON, individually and on behalf of all others similarly situated,**

Plaintiff,

V.

FRANKLIN FINANCIAL  
CORPORATION, *et al.*,

**Defendants.**

Civil Action No. 3:14-cv-00671-HEH

## ORDER


THIS MATTER is before the Court on Defendant TowneBank's Motion to Dismiss Amended Complaint, filed on November 5, 2014 (ECF No. 29). Plaintiff's Amended Complaint alleges, derivatively, that TowneBank aided and abetted Defendants Franklin Financial Corporation, Franklin Federal Savings Bank, Richard T. Wheeler, Jr., Hugh T. Harrison II, Warren A. Mackey, Elizabeth W. Robertson, George L. Scott, Richard W. Wiltshire, Jr., and Percy Wootton in their alleged breaches of their fiduciary duties under Virginia law and violations of the Exchange Act.

For reasons which shall be more particularly stated in a forthcoming Memorandum Opinion, TowneBank's motion is hereby GRANTED. TowneBank is DISMISSED as a party to this case.

The Clerk is DIRECTED to send a copy of this order to all counsel of record.

It is so ORDERED.

Date: Nov. 24, 2014  
Richmond, Virginia

 /s/  
Henry E. Hudson  
United States District Judge